

BEFORE THE  
ILLINOIS COMMERCE COMMISSION

ILLINOIS COMMERCE COMMISSION ) DOCKET NO.  
On Its Own Motion ) 10-0668  
)  
-vs- )  
)  
BUSHNELL, ILLINOIS, a Municipal )  
Corporation )  
)  
)  
Citation for alleged violations of )  
federal rules incorporated by the )  
Illinois Commerce Commission. )

Springfield, Illinois  
Wednesday, September 28, 2011

Met, pursuant to notice, at 10:00 a.m.

**BEFORE:**

MR. MICHAEL WALLACE, Administrative Law Judge

**APPEARANCES :**

MR. JAMES V. OLIVERO  
Office of General Counsel  
Illinois Commerce Commission  
527 East Capitol Avenue  
Springfield, Illinois 62701

(Appearing on behalf of Staff  
Witnesses of the Illinois  
Commerce Commission)

SULLIVAN REPORTING COMPANY, by  
Carla J. Boehl, Reporter  
CSR #084-002710

1      APPEARANCES: (Continued)

2 MR. GARY LLOYD SMITH  
MR. JOHN MARLETTE  
3 Attorneys at Law  
1204 South Fourth Street  
4 Springfield, Illinois

5 (Appearing on behalf of  
Respondent)

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| 1  |                | <u>I N D E X</u> |              |                 |                 |
| 2  |                |                  |              |                 |                 |
| 3  | <u>WITNESS</u> | <u>DIRECT</u>    | <u>CROSS</u> | <u>REDIRECT</u> | <u>RECROSS</u>  |
| 4  | (None)         |                  |              |                 |                 |
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| 13 |                | <u>EXHIBITS</u>  |              |                 |                 |
| 14 |                |                  |              |                 |                 |
| 15 |                |                  |              | <u>MARKED</u>   | <u>ADMITTED</u> |
| 16 | (None)         |                  |              |                 |                 |
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PROCEEDINGS

JUDGE WALLACE: Pursuant to the direction of the Illinois Commerce Commission, I now call Docket 10-0668. This is the matter of the Illinois Commerce Commission on its own motion versus Bushnell, Illinois, a municipal corporation. This is a citation for alleged violations of federal rules incorporated by the Illinois Commerce Commission.

May I have appearances for the record for the Staff?

MR. OLIVERO: Appearing on behalf of the Staff witnesses of the Illinois Commerce Commission, Jim Olivero, 527 East Capitol Avenue, Springfield, Illinois 62701.

JUDGE WALLACE: And for the City?

MR. SMITH: Good morning, Judge. Gary Smith and John Marlette for the City of Bushnell, business address is 1204 South Fourth Street, Springfield, Illinois.

JUDGE WALLACE: All right. Thank you.

MR. SMITH: I didn't get a change to introduce you. This is John Marlette. This is Judge Wallace.

1 JUDGE WALLACE: Okay. We have -- the parties  
2 have chatted off the record and we have come up with  
3 a short schedule to keep going forward.

4 On November 16 I guess it's an  
5 either/or. Either a set of stipulated facts will be  
6 submitted or testimony by Staff or by both parties?

7 MR. OLIVERO: Just by Staff actually.

8 JUDGE WALLACE: Okay. And then we will have a  
9 status hearing on December 1 at 10:00 a.m.

10 MR. SMITH: That's correct, and at that time we  
11 can fill out the rest of the schedule with respect to  
12 the City's responses or a hearing. City's prefiled  
13 testimony and then perhaps a hearing date.

14 MR. OLIVERO: Set the hearing date.

15 MR. SMITH: If necessary.

16 JUDGE WALLACE: That sounds fine.

17 Is there anything else anyone wishes  
18 to bring up today?

19 MR. OLIVERO: No, not on behalf of Staff.

20 MR. SMITH: No.

21 JUDGE WALLACE: Okay. There being nothing  
22 further we will be continued until December 1, 2011,

1 at 10:00 a.m.

2 (Whereupon the hearing in this  
3 matter was continued until  
4 December 1, 2011, at 10:00 a.m.  
5 in Springfield, Illinois.)

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